

## Calendar No. 753

106TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
106-375

### JOE ROWELL PARK

AUGUST 25, 2000.—Ordered to be printed

Filed under authority of the order of the Senate of July 26, 2000

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

### REPORT

[To accompany S. 1972]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1972) to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 2, line 6 and 7; Strike: “in section 16 (Map 1), township 37 north, range 15 west, NMPM, Dolores, Colorado.” and insert in lieu the following: “depicted on the map entitled “Joe Rowell Park,” dated July 12, 2000.”

2. Insert at the end of the bill a new subsection (d) as follows: “(d) The map referenced in subsection (b)(1) shall be on file for public inspection in the Office of the Chief of the Forest Service at the Department of Agriculture in Washington, DC.”.

#### PURPOSE OF THE MEASURE

The purpose of S. 1972 is to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

#### BACKGROUND AND NEED

The parcel to be conveyed by S. 1972 was originally privately owned, and was acquired by the Bureau of Reclamation for flood protection. The parcel was subsequently used for recreation purposes and transferred to the Forest Service. The Forest Service

issued a permit to the town of Dolores to operate the park and make improvements on the parcel.

The park is surrounded by town and private lands. Conveyance to the town of Dolores will facilitate the addition of further improvements, and eliminate time-consuming requirements for routine upgrades of the existing features of the park. In addition, the parcel is not contiguous to National Forest lands.

#### LEGISLATIVE HISTORY

S. 1972 was referred to the Committee on Energy and Natural Resources on November 19, 1999. The Subcommittee on Forests and Public Land Management held a hearing on S. 1972 on June 8, 2000. At the business meeting on July 13, 2000, the Committee on Energy and Natural Resources ordered S. 1972 reported favorably with an amendment.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on July 13, 2000, by a voice vote of a quorum present recommends that the Senate pass S. 1972 if amended as described herein.

#### COMMITTEE AMENDMENTS

During the consideration of S. 1972, the Committee adopted two amendments that replace the reference to a legal description with a reference to a map of the parcel to be conveyed.

#### SECTION-BY-SECTION ANALYSIS

*Section (1)(a)* requires the Secretary of Agriculture to convey, for no consideration, the parcel described in subsection (b).

*Subsection (b)* describes the property and refers to the map that depicts the parcel. The subsection also requires a survey of the property, the cost of which will be paid for by the town of Dolores.

*Subsection (c)* requires the reversion of the property to the United States if the town of Dolores attempts to transfer title, encumber the property, or permit a use other than as a park.

*Subsection (d)* requires that the map referenced in subsection (b) will be on file for public inspection in Washington, D.C. in the Chief of the Forest Service's office.

#### COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office (CBO) estimate of the costs of this measure follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC July 20, 2000.*

Hon. FRANK H. MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1972, a bill to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

*S. 1972—A bill to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park*

CBO estimates that enacting S. 1972 would have no significant impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1972 would direct the Secretary of Agriculture to convey 25 acres of federal land to the town of Dolores, Colorado. That town currently operates a town park on those lands under a special use permit from the Forest Service. According to the Forest Service, the lands currently generate no significant receipts, and the agency does not expect them to generate significant receipts in the future. S. 1972 would require the town to pay for a survey of the land before it could be conveyed. CBO estimated that any administrative costs incurred by the Forest Service to complete the conveyance would be insignificant.

S. 1972 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments. The town of Dolores, Colorado, would benefit not only because it could acquire the Joe Rowell site at almost no cost, but also because it would be able to make improvements to the park without seeking approval from the U.S. Forest Service.

The CBO staff contact is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1972.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1972, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

On July 13, 2000 the Committee on Energy and Natural Resources requested legislative reports from the Department of Agriculture and the Office of Management and Budget setting forth Executive agency recommendations on S. 1972. These reports had not been received at the time the report on S. 1972 was filed. When

the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Forest Service at the Subcommittee hearing follows:

STATEMENT OF JACK CRAVEN, DIRECTOR OF LANDS, FOREST  
SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the subcommittee; thank you for the opportunity to present the administration's views concerning S. 1972, a bill to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park. We would not object to this bill if it is amended as suggested.

This bill would convey approximately 25 acres of national forest system land to the town of Dolores, Colorado. The land is currently under special use permit to the town for use as a park. If the bill were amended to provide for fair market value in consideration for the conveyance, the Administration would not object to the bill.

This concludes my testimony. I would be glad to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 1972, as ordered reported.